

MAR 5 2003
STATE GOVERNMENT

HOUSE FILE 445
BY FORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the process for restoring for certain persons
2 the right to register to vote and to vote and providing an
3 applicability date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HC 445

1 Section 1. Section 48A.6, subsection 1, Code 2003, is
2 amended to read as follows:

3 1. A person who has been convicted of a felony as defined
4 in section 701.7, or convicted of an offense classified as a
5 felony under federal law. ~~If~~ When the person's rights are
6 later restored by the governor, or ~~by the president of the~~
7 ~~United States,~~ pursuant to section 914.8, the person may
8 register to vote.

9 Sec. 2. Section 914.2, Code 2003, is amended to read as
10 follows:

11 914.2 RIGHT OF APPLICATION.

12 Except as otherwise provided in section 902.2 or 914.8, a
13 person convicted of a criminal offense has the right to make
14 application to the board of parole for recommendation or to
15 the governor for a reprieve, pardon, commutation of sentence,
16 remission of fines or forfeitures, or restoration of rights of
17 citizenship at any time following the conviction.

18 Sec. 3. NEW SECTION. 914.8 RESTORATION OF RIGHT TO
19 REGISTER AND TO VOTE.

20 1. When a person, who has once been convicted of a felony
21 criminal offense, is discharged from probation under section
22 907.9, discharged from parole or work release under section
23 906.15, or released from confinement under section 902.6
24 because the person has completed the person's term of
25 confinement, the person's right to register to vote and to
26 vote is restored.

27 2. Upon discharge from confinement or supervision, the
28 department of corrections or judicial district department of
29 correctional services, whichever is applicable, shall provide
30 written notice to the inmate, parolee, or probationer of the
31 person's discharge which shall include a voter registration
32 form and a statement containing the following information:

33 a. That the person's right to register to vote and to vote
34 has been restored.

35 b. That in the month following the month of discharge, the

1 department of corrections will notify the county auditor of
2 the person's discharge from confinement or supervision.

3 c. That the person may register to vote by mail using the
4 form enclosed with the statement or that the person may
5 register to vote in person at the county auditor's office in
6 the county where the person will be residing.

7 3. The department of corrections shall monthly provide a
8 list of all persons discharged from confinement or supervision
9 to the state registrar of voters who shall provide the
10 information to the county registrars of voters as deemed
11 necessary.

12 4. For a person who has more than once been convicted of a
13 felony and upon that person's discharge from confinement or
14 supervision, the department of corrections or judicial
15 district department of correctional services, whichever is
16 applicable, shall provide written notice to the inmate,
17 parolee, or probationer of the person's discharge which shall
18 include a statement informing the person that the person must
19 apply for a restoration of rights of citizenship in order to
20 register to vote and to vote and information on the method by
21 which citizenship rights are restored.

22 Sec. 4. APPLICABILITY. This Act applies to persons
23 discharged from probation, parole, work release, or otherwise
24 released from confinement on or after July 1, 2003.

25 EXPLANATION

26 This bill makes restoration of the right to register to
27 vote and to vote automatic upon a person's release from
28 probation, parole, or work release, or upon completion of the
29 person's term of confinement if the person has only once been
30 convicted of a felony offense. The bill requires the
31 department of corrections or the judicial district department
32 of correctional services to provide written notice of
33 restoration of voting rights and a voter registration form to
34 such persons upon discharge from confinement or supervision.

35 The bill requires the department of corrections to, once

1 each month, send a list of those persons discharged from
2 confinement or supervision to the state registrar of voters.

3 The bill also requires the department of corrections or the
4 judicial district department of correctional services to
5 notify persons who have more than once been convicted of a
6 felony and who have been discharged from confinement or
7 supervision of the method by which they can have their rights
8 of citizenship restored.

9 The bill applies to persons discharged on or after July 1,
10 2003.

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